

2. Order Type and Number: Consent Order #02-23-HW
Order Date: October 28, 2002
Responsible Party: **Para-Chem Southern, Inc.**
Location/Mailing Address: P.O. Box 127
Simpsonville, SC 29681
County: Greenville
Previous Orders: 98-66-HW
Permit Number: SCD 002 601 656
Violations Cited: Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.34(a), 262.34(a)(2), 265.15(b)(4), 265.15(d), 265.16(d)(4), 265.52(d), 265.173(c)(d), and 265.174

Action: The Respondent agreed to: now and in the future, ensure compliance with regulations pertaining to contingency plan, personnel training, hazardous waste container labeling, storage and inspection; within one hundred eighty (180) days of the execution date of the Order, ensure that all hazardous waste storage areas are designed and operated in accordance with R.61-79 265.175; and pay to the Department a civil penalty in the amount of thirteen thousand, five hundred dollars (**\$13,500.00**).

3.	<u>Order Type and Number:</u>	Consent Order #02-26-HW
	<u>Order Date:</u>	December 4, 2002
	<u>Responsible Party:</u>	Hueck Engraving USA, LLC
	<u>Location/Mailing Address:</u>	7703 Park Place Road York, S.C. 29745
	<u>County:</u>	York
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	SCD000074427
	<u>Violations Cited:</u>	Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.11, R.61-79. 262.13(d), R.61- 79.265.52(d), R.61-79.265.52(e), and R.61-79.265.173(a)

Summary: Hueck Engraving USA, LLC (Respondent) manufactures paint and laminates stainless steel plates in York, South Carolina. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to submit revised or new company contact information; failure to list the names, addresses, and phone numbers (office and home) of the emergency coordinators in the contingency plan; failure to include in the contingency plan the location and the physical description of each emergency item and a brief outline of its capabilities; and, failure to keep all containers holding hazardous waste closed, except when necessary to add or remove waste.

Action: The Respondent agreed to: submit the recently implemented plan for use of the aerosol can puncturing device; and, pay to the Department a civil penalty in the amount of eight thousand dollars **(\$8,000.00)**.

4.	<u>Order Type and Number:</u>	Consent Order #02-25-HW
	<u>Order Date:</u>	September 26, 2002
	<u>Responsible Party:</u>	Scout Boats, Inc.
	<u>Location/Mailing Address:</u>	2531 Highway 78 West Summerville, South Carolina
	<u>County:</u>	Dorchester
	<u>Previous Orders:</u>	99-23-HW
	<u>Permit Number:</u>	SCR 000 002 949
	<u>Violations Cited:</u>	Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.265.173(a), R.61-79.262.34(c)(1)(ii), R.61- 79.262.34(a)(2), 265.31, 262.34(a)(3), R.61-79.265.16(a)(1), R.61- 79.265.16(d).

Summary: Scout Boats, Inc. (Respondent) manufactures fiberglass hulled pleasure boats. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to ensure that hazardous waste containers were closed during storage; failure to clearly mark its containers with the words “HAZARDOUS WASTE” or with other words that identify the contents; failure to mark containers with an accumulation start date; failure to maintain and operate its facility to minimize the possibility of a fire, explosion, or any planned sudden or non sudden release of hazardous waste or hazardous waste constituents; failure to label or clearly mark each container and tank with the EPA Hazardous Waste Number and the words: “Hazardous Waste – federal laws prohibit improper disposal”; failure to have facility personnel successfully complete a program of classroom instruction or on-the-job training; and, failure to maintain personnel training documents and records at the facility.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act, as amended, including all applicable regulations governing the generation of hazardous waste within the State of South Carolina; ensure that hazardous waste containers are closed during storage, except when it is necessary to add or remove waste; ensure that waste storage containers are properly labeled; ensure that the facility is operated to minimize the possibility of a fire, explosion, or any planned

sudden or nonsudden release of hazardous waste or hazardous waste constituents; ensure that facility personnel are provided with a program of classroom instruction or on-the-job training; ensure that personnel training documents and records are kept at the facility; and pay a civil penalty in the amount of eight thousand, seven hundred dollars **(\$8,700.00)**.

Solid Waste Enforcement

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| 1. | <u>Order Type and No.:</u> | Consent Order #02-34-SW |
| | <u>Order Date:</u> | October 18, 2002 |
| | <u>Responsible Party:</u> | C.P. Construction Company, Inc. |
| | <u>Location/Mailing Address:</u> | 572 Shadow Lawn Dr.
Orangeburg, SC 29115 |
| | <u>County:</u> | Orangeburg |
| | <u>Previous Order(s):</u> | None |
| | <u>Permit Number:</u> | None |
| | <u>Violations Cited:</u> | South Carolina Solid Waste Policy and
Management Act of 1991, (2002), 25A S.C. Code Ann. Regs. 61-
107.11, Part IV, A.8. and B.1. (Supp. 2001). |

Summary: C.P. Construction, Inc. (Respondent) unlawfully disposed of construction and demolition (C&D) debris and land-clearing debris (LCD) at property owned by Ms. Carrie Blackwell (Site #1) in Orangeburg, South Carolina. Following the enforcement conference, the Respondent removed the LCD from Site #1 and transported it to property (Site #2) owned by Mr. Matthew Cleckley, a co-owner of the Company. The Respondent burned approximately twelve (12) of the sixteen (16) loads of LCD without permission from the Department. The Respondent took the remaining four (4) loads of LCD to a landfill, and submitted disposal receipts for same to the Department. This unlawful disposal constitutes a violation of the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Action: Consent Order 02-34-SW was executed requiring the Respondent to remove and legally dispose of all remaining unauthorized wastes and debris placed on Site #1 and Site #2, submit disposal receipts to the Department, and pay a civil penalty in the amount of three thousand, six hundred seventy-five dollars (**\$3,675.00**) to the Department within thirty (30) days of the receipt of a copy of the executed Order. The penalty has been paid.

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| 2. | <u>Order Type and No:</u> | Administrative Order #02-33-SW |
| | <u>Order Date:</u> | October 3, 2002 |
| | <u>Responsible Party:</u> | Vicki Outlaw |
| | <u>Location/Mailing Address:</u> | Family Road, Darlington County, SC
PO Box 1927,
Hartsville, SC 29550 |
| | <u>County:</u> | Darlington |
| | <u>Previous Order(s):</u> | N/A |
| | <u>Permit Number:</u> | N/A |
| | <u>Violation(s) Cited:</u> | Construction, Demolition and Land-Clearing |

Debris, 25A S.C. Code Ann. Regs. 61-107.11, Part IV, (A)(8) (Supp.2001); Pollution Control Act, S.C. Code Ann. § 48-1-90 (1987).

Summary: Vicki Outlaw unlawfully allowed the disposal of approximately fifty-five (55) loads (approximately 8 cubic yards/load) of construction and demolition (C&D) debris including but not limited to wooden boards and shingles on property she owns off Family Road near the Ashland Community in Darlington County, South Carolina.

Action: The Administrative Order, which was not appealed, requires the Respondent to: remove and properly dispose of all wastes and debris on the Site; forward copies of all signed disposal receipts and/or invoices to the Department upon completion of removal and proper disposal, perform any needed site remediation to minimize erosion and control water run-on/runoff; and, pay to the Department a civil penalty in the amount of four thousand, five hundred fifty dollars **(\$4,550.00)** for the violations cited. The completion of removal and proper disposal of the wastes and payment of the civil penalty are due by December 23, 2002.

3.	<u>Order Type and No.</u>	Consent Order 02-36-SW
	<u>Order Date:</u>	December 9, 2002
	<u>Responsible Party:</u>	Coogler Construction, Incorporated
		Joseph J. Coogler, Sr.
	<u>Location/Mailing Address:</u>	856 Koon Road
		Irmo, SC 29063/
		PO Box 177
		Ballentine, SC 29002
	<u>County:</u>	Richland
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	None-Unpermitted Landfill
	<u>Violation(s) Cited:</u>	South Carolina Solid Waste Policy and
		Management Act of 1991, the Construction, Demolition
		and Land-Clearing Debris Landfills Regulation, 25A
		S.C. Code Ann. Reg. 61-107.11, Part IV, B.1 (Supp.
		2001).

Summary: Coogler Construction, Incorporated (CCI) disposed of construction, demolition, and land-clearing debris improperly on a parcel of land (Tax Map # 04100-02-30, Site) owned by Mr. Joseph J. Coogler, Sr. (Mr. Coogler, Sr.). The Department has also observed Mr. Coogler, Sr. contributing to the operation of the unpermitted landfill on the Site. The Department inspected the Site in January of 2000 and, at that time, required Mr. Joseph J. Coogler, Jr. of CCI and Mr. Coogler, Sr. to cease and desist disposing waste on the Site without a permit. CCI continued to unlawfully dispose on the Site and in February of 2002, the Department observed that the unpermitted landfill had increased in area from an estimated one acre to at least two and half acres. The unlawful disposal is a violation of the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Underground Storage Tank Enforcement

- Action: The owner/operator corrected the violations within 30 days and paid a civil penalty of two thousand one hundred dollars (\$2,100.00).

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Summary: A compliance inspection revealed that petroleum product had been introduced into an underground storage tank system for which the owner did not hold a currently valid registration certificate.

Action: The owner/operator paid overdue registration fees, obtained a valid certificate, and paid a one thousand dollar (\$1,000.00) civil penalty.

3.	<u>Order Type and Number:</u>	Consent Order 02-3043-UST
	<u>Order Date:</u>	November 7, 2002
	<u>Owner/Operator:</u>	Mocky Terry
	<u>Facility Name:</u>	Terry's Amoco
	<u>Facility Address:</u>	3859 Columbia Hwy. Scotia, S.C.
	<u>County:</u>	Hampton
	<u>UST Permit Number:</u>	10943
	<u>Previous UST Orders:</u>	None
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.10(e), R.61-92, §280.93(b), R.61-92, §280.110(c).

Summary: A compliance inspection revealed that the owner/operator introduced petroleum product into an underground storage tank system for which the owner did not hold a currently valid registration certificate and failed to demonstrate financial responsibility.

Action: The owner paid overdue registration fees and obtained a valid certificate immediately, and agreed to submit financial responsibility documentation within 30 days. If the documentation is received as agreed, the Department will reduce the civil penalty from two thousand one hundred dollars (\$2,100.00) to one thousand dollars (\$1,000.00).

4.	<u>Order Type and Number:</u>	Consent Order 02-3170-UST
	<u>Order Date:</u>	November 8, 2002
	<u>Owner/Operator:</u>	Handee Mart Food Stores, Inc.
	<u>Facility Name:</u>	Handee Mart 4
	<u>Facility Address:</u>	1304 Greer Hwy. Travelers Rest, S.C.
	<u>County:</u>	Greenville
	<u>UST Permit Number:</u>	12979
	<u>Previous UST Orders:</u>	See #5 below
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.20(e), R.61-92, §280.34(c).

Summary: An inspection revealed that the owner/ operator had failed to properly anchor the shear valves and repair a leak under the kerosene dispenser.

5.	<u>Order Type and Number:</u>	Consent Order 02-3171-UST
	<u>Order Date:</u>	November 8, 2002
	<u>Owner/Operator:</u>	Handee Mart Food Stores, Inc.
	<u>Facility Name:</u>	Handee Mart Food Stores 10
	<u>Facility Address:</u>	1658 Hwy 25 N. Travelers Rest
	<u>County:</u>	Greenville
	<u>UST Permit Number:</u>	04566
	<u>Previous UST Orders:</u>	See #4 above.
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.20(e), R.61-92, §280.33(d), R.61-92, §280.52, and R.61-92, §280.34(c).

Action: The owner/operator agreed to correct the violations and submit the compliance data within 30 days. If the documentation is received as agreed, the Department will **suspend** the civil penalty of nine hundred and fifty dollars (\$950.00).

6.	<u>Order Type and No:</u>	Admin. Order 02-1809-UST
	<u>Order Date:</u>	October 4, 2002
	<u>Owner/Operator:</u>	Surfmaster Owners Assn., Inc.
	<u>Facility Name:</u>	Surfmaster Owners Assn., Inc.
	<u>Facility Address:</u>	1609 Waccamaw Dr. Garden City
	<u>County:</u>	Horry
	<u>UST Permit Number:</u>	12600
	<u>Previous UST Orders:</u>	None
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.93(a), R.61-92, §280.110(c).

Action: The Department issued an Administrative Order with a civil penalty of two thousand eight hundred

fifty dollars (**\$2,850.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

11.	<u>Order Type and Number:</u>	Consent Order 02-3242-UST
	<u>Order Date:</u>	December 11, 2002
	<u>Owner/Operator:</u>	Handee Mart Food Stores, Inc.
	<u>Facility Name:</u>	Handee Mart Food Stores 103
	<u>Facility Address:</u>	1094 Hwy 25 N., Travelers Rest
	<u>County:</u>	Greenville
	<u>UST Permit Number:</u>	04335
	<u>Previous UST Orders:</u>	CO 02-3170-UST (\$0), CO 02-3171-UST (\$0)
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.20(a)&(b), and R.61-92, §280.34(c).

Summary: An inspection revealed that the owner/ operator had failed to adequately protect piping from corrosion.

Action: The owner/operator corrected the violation within 30 days, and the Department **suspended** the civil penalty of six hundred dollars (\$600).

12.	<u>Order Type and Number:</u>	Consent Order 02-3273-UST
	<u>Order Date:</u>	December 11, 2002
	<u>Owner/Operator:</u>	Handee Mart Food Stores, Inc.
	<u>Facility Name:</u>	Handee Mart Food Stores 17
	<u>Facility Address:</u>	1101 E Wade Hampton Blvd., Greer
	<u>County:</u>	Greenville
	<u>UST Permit Number:</u>	03910
	<u>Previous UST Orders:</u>	See #4 above.
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.20(e), R.61-92, §280.40(a), R.61-92, §280.41(b)(1)(i), and R.61-92, §280.34(c).

Summary: An inspection revealed that the owner/ operator had failed to properly anchor shear valves, provide an adequate release detection method, replace a broken automatic line leak detector, and provide records to the Department upon request.

Action: The owner/operator anchored the shear valves and agreed to correct the remaining violations and submit the compliance data within 30 days. If the documentation is received as agreed, the Department will **suspend** the civil penalty of one thousand three hundred dollars (\$1,300.00).

16.	<u>Order Type and No:</u>	Admin. Order 02-2908-UST
	<u>Order Date:</u>	November 13, 2002
	<u>Owner/Operator:</u>	R T Munn
	<u>Facility Name:</u>	R T Munn Exxon Station
	<u>Facility Address:</u>	311 E. Palmetto St., Florence
	<u>County:</u>	Florence
	<u>UST Permit Number:</u>	03226
	<u>Previous UST Orders:</u>	None
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.40(a), R.61-92, §280.34(c), SUPERB Act 44-2-140(A).

Action: The Department issued an Administrative Order with a civil penalty of four thousand thirty-six dollars (**\$4,036.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

17.	<u>Order Type and No:</u>	Admin. Order 01-1359-UST
	<u>Order Date:</u>	November 13, 2002
	<u>Owner/Operator:</u>	Edisto Investment Properties, Inc.
	<u>Facility Name:</u>	Big D's C Store
	<u>Facility Address:</u>	1212 Magnolia St., Orangeburg
	<u>County:</u>	Orangeburg
	<u>UST Permit Number:</u>	07005
	<u>Previous UST Orders:</u>	None
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92,
		§280.93(a), R.61-92, §280.40(a), R.61-92, §280.31(b), R.61-92 §280.10(e), R.61-92,
		§280.34(c).

Action: The Department issued an Administrative Order with a civil penalty of ten thousand ninety-five dollars (**\$10,095.00**) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed. Since the

issuance of the order the owner/operator has demonstrated financial responsibility and provided release detection testing results.

ISSUANCE OF ORDERS BY THE BUREAU OF WATER

Drinking Water Enforcement

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| 1. <u>Order Type and No.:</u> | CO 02-227-DW |
| <u>Order Date:</u> | September 21, 2002 |
| <u>Responsible Party:</u> | Louis O. Stacy, Jr. |
| <u>Facility:</u> | Casa Del Sol Subdivision |
| <u>Location/Mailing Address:</u> | 2009 Highway 321 North
York, S.C. 29745 |
| <u>County:</u> | Cherokee |
| <u>Previous Order(s):</u> | None |
| <u>Permit Number:</u> | None |
| <u>Violation(s) Cited:</u> | 25A S.C. Code Ann. Regs. 61-58.1(B)(K)(1)
S.C. Code Ann. § 44-55-40(A)(C) |

Summary: Casa Del Sol Subdivision (Respondent), located in the above-referenced County, is owned by Mr. Louis O. Stacy, Jr. There are seventeen (17) homes all of which are used to house migrant workers that work at Mr. Stacy's plant nursery, located in York County. Records reveal that the Respondent failed to obtain a permit for the construction of a public water system (PWS) and failed to obtain Department approval for the operation of a PWS.

Action: The Respondent has agreed to: (1) conduct all current and future operations pertaining to the Casa Del Sol Subdivision PWS in accordance with all applicable State and Federal laws and regulations; (2) within thirty (30) days of the executed Order date, submit a complete construction permit application, including plans and specifications; (3) upon issuance of the permit, the Respondent must have a South Carolina certified well driller complete the construction of the public supply well(s) within sixty (60) days; (4) contact the District to schedule an inspection of the system prior to placing it into operation; and, (5) within thirty (30) days of the executed Order date, submit in writing what will be done with/to each of the seventeen (17) wells in the subdivision once the public supply well(s) are placed into operation.

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| 2. | <u>Order Type and No.:</u> | CO 02-229-DW |
| | <u>Order Date:</u> | October 18, 2002 |
| | <u>Responsible Party:</u> | Mary Corley |
| | <u>Facility:</u> | Woodlawn Mobile Home Park Public Water System |
| | <u>Location/Mailing Address:</u> | 109 Oak Ave., P.O. Box 3045
Greenwood, S.C. 29648 |

<u>County:</u>	Abbeville
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	0160003
<u>Violation(s) Cited:</u>	25A S.C. Code Ann. Regs. 61-58.12

Summary: Mary Corley (Respondent) owns and is responsible for the proper operation and maintenance of the public water system (PWS) that serves the residents of the above-referenced facility, located in Abbeville County. Records reveal that the Respondent failed to properly develop and provide proper notice of the Consumer Confidence Report (CCR) to its customers as required and the CCR Certification to the Department as required.

Action: The Respondent has agreed to: (1) operate and maintain the PWS serving the Woodlawn MHP in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a construction permit application to connect to an approvable PWS; (3) within sixty (60) days upon receipt of the construction permit, complete the construction of the connection to the PWS; and, (4) within thirty (30) days of the connection to the PWS, have a certified well driller properly abandon the existing well.

3.	<u>Order Type and No.:</u>	CO 02-224-DW
	<u>Order Date:</u>	October 22, 2002
	<u>Responsible Party:</u>	Nancy Powell
	<u>Facility</u>	Powell's Mobile Home Park PWS
	<u>Location/Mailing Address:</u>	2315 Percival Road Columbia, S.C. 29223
	<u>County:</u>	Richland
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	4060020
	<u>Violation(s) Cited:</u>	24 A S.C. Code Ann. Regs.61-58.12

Summary: Nancy Powell (Respondent) owns and is responsible for the proper operation and maintenance of the PWS that serves the residents of the above-referenced facility located in Richland County. Records reveal that the Respondent failed to properly develop and provide proper notice of the Consumer Confidence Report (CCR) to its customers as required and the CCR Certification to the Department as required.

Action: The Respondent has agreed to: (1) operate and maintain the PWS serving the Powell's MHP in accordance with State and Federal regulations; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty in the amount of seven hundred dollars (**\$700.00**). The penalty has been paid.

4.	<u>Order Type and No.:</u>	CO 02-228-DW
	<u>Order Date:</u>	October 18, 2002
	<u>Responsible Party:</u>	Minsprings L.L.C., d/b/a

<u>Facility:</u>	Mineral Springs Mobile Home Community
<u>Location/Mailing Address:</u>	620 Shirway Road Lexington, S.C. 29073
<u>County:</u>	Lexington
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	3260002
<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58.5(J) S.C. Code Ann. § 44-55-40(d)

Summary: Minsprings L.L.C. (Respondent) owns and is responsible for the proper operation and maintenance of the PWS that serves the residents of the above referenced facility located in Lexington County. A review of the Respondent's records reveal that the Respondent's PWS exceeded the maximum contaminant level (MCL) for Radium 226/228.

Action: The Respondent has agreed to: (1) begin and continue to comply with all applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, the Respondent shall submit in writing its intentions to comply with one of the following options: 1) install a new well; 2) connect to a Department approved PWS; or 3) install a treatment system.

5. <u>Order Type and No.:</u>	CO 02-235-DW
<u>Order Date:</u>	October 28, 2002
<u>Responsible Party:</u>	City of Camden
<u>Facility:</u>	Camden PWS
<u>Location/Mailing Address:</u>	1000 Lyttleton Street Camden, S.C. 29020
<u>County:</u>	Kershaw
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	2810001
<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58.5 S.C. Code Ann. § 44-55-40(a)(c)

Summary: The City of Camden (Respondent) is responsible for the proper operation and maintenance of the PWS that serves the residents of the above-referenced city located in Kershaw County. A review of the Respondents records reveal that the Respondent's PWS exceeded the MCL for total trihalomethane (THM) concentrations of bromodichloromethane, dibromochloromethane, tribromomethane and trichloromethane.

Action: The Respondent has agreed to: (1) immediately begin and continue to comply with all applicable State and Federal laws and regulations, as they pertain to the operation of a PWS; and, (2) within thirty (30) days of the executed Order date, submit a corrective action plan (CAP), detailing procedures that will be taken to remediate the THM contamination. This CAP will be reviewed by the Department and, upon approval, become an enforceable part of this Order.

6.	<u>Order Type and No.:</u>	CO 02-232-DW
	<u>Order Date:</u>	October 28, 2002
	<u>Responsible Party:</u>	Second Spanish Wells Owner's Association
	<u>Facility:</u>	Second Spanish Wells PWS/Gaddis Inc.
	<u>Location/Mailing Address:</u>	P.O. Box 22536 Hilton Head, S.C. 29925
	<u>County:</u>	Beaufort
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	None
	<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58

Summary: Second Spanish Wells Business Center Owner's Association (Respondent) is responsible for the PWS, which serves the above-referenced facility located in Beaufort County. Records reveal that the Respondent has failed to comply with the requirements established in the Department's approval to operate the PWS at the referenced site.

Action: The Respondent has agreed to: (1) within thirty (30) days of the executed Order date, connect the Spanish Wells Business Center to an approved PWS source; and, (2) within forty-five (45) days of the executed Order date, request an inspection by the District Office to verify that the Respondent has connected its PWS to an approved PWS source. Visual verification that the operable well has been disconnected as a potable water source shall also be performed as part of this inspection.

7.	<u>Order Type and No.:</u>	CO 02-239-DW
	<u>Order Date:</u>	October 30, 2002
	<u>Responsible Party:</u>	St. Thomas Point Homeowner's Association
	<u>Facility:</u>	St. Thomas Point Homeowner's Association PWS
	<u>Location/Mailing Address:</u>	P.O. Box 872 Mt. Pleasant, S.C. 29492
	<u>County:</u>	Berkeley
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	0850015
	<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: St. Thomas Point Homeowner's Association (Respondent) is responsible for the proper operation and maintenance of the PWS that serves the residents of St. Thomas Point Subdivision located in the above-referenced County. Records reveal that the Respondent failed to properly operate and maintain its PWS.

Action: The Respondent has agreed to: (1) immediately begin and continue to abide by all applicable State and Federal laws, as they pertain to the operation of a PWS; (2) within ten (10) days of the executed Order date, submit in writing its intentions to comply with either option A: to remediate the deficiencies and comply with a Department approved business plan, or option B: to connect to a Department approved water

system.

8.	<u>Order Type and No.:</u>	CO 02-241-DW
	<u>Order Date:</u>	November 05, 2002
	<u>Responsible Party:</u>	Hensel Phelps Construction Company
	<u>Facility:</u>	Hensel Phelps Construction Company PWS
	<u>Location/Mailing Address:</u>	8301 Highway 521 Salters, S.C. 29590
	<u>County:</u>	Williamsburg
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	SCW45023368
	<u>Violation(s) Cited:</u>	S.C. Code Ann. 44-55-40(a), (c)

Summary: Hensel Phelps Construction Co. (Respondent) is responsible for the operation of the PWS, which serves the temporary office complex staff and construction workers for the above-referenced Company at the Federal Bureau of Prisons Site located in the above-referenced County. An inspection of the Site revealed that the Respondent's PWS was constructed and placed into operation without proper approval.

Action: The Respondent has agreed to: (1) continue to operate and maintain the PWS serving the referenced Site of the Federal Bureau of Prisons in accordance with applicable State and Federal regulations; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand dollars (**\$2,000.00**). The penalty has been paid.

9.	<u>Order Type and No.:</u>	AO 02-132-DW
	<u>Order Date:</u>	July 1, 2002
	<u>Responsible Party:</u>	Mr. T. B. Pickens, III
	<u>Facility:</u>	US Utilities, Inc., Utilities of SC, Inc., and South Carolina Water and Sewer, L.L.C
	<u>Location/Mailing Address:</u>	37 King Street Charleston, SC 29401
	<u>County:</u>	Main Office – Charleston, DW facilities - Statewide
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	Multiple facilities (61)
	<u>Violation(s) Cited:</u>	25A S.C. Code Ann. Regs. 61-58.5

Summary: The Respondent owns and operates eighty-three (83) drinking water systems in South Carolina. Sixty-one (61) of these obtain water from groundwater sources, while twenty-two (22) purchase water from other public water systems. The Respondent did not perform the required monitoring of the drinking water systems that obtain water from groundwater sources. This resulted in three thousand nine hundred and fifty-seven (3,957) non-monitoring violations for the 1999 through 2001 monitoring periods.

10.	<u>Order Type and No.:</u>	AO 02-199-DW
	<u>Order Date:</u>	August 23, 2002
	<u>Responsible Party:</u>	Bryan Arnette
	<u>Facility:</u>	n/a
	<u>Location/Mailing Address:</u>	2371 Pine Lane #1 Wallace, SC 29596-8768
	<u>County:</u>	Marlboro
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	n/a
	<u>Violation(s) Cited:</u>	25 S.C. Code Ann. Regs. 61-44(C)(1), (D)(2), & (D)(4); 25 S.C. Code Ann. Regs. 61-71.6, 61-71.7 & 61-71.8

Action: The Respondent has been ordered to: (1) pay a licensed well driller to properly remediate or abandon the wells; and (2) within thirty (30) days of the executed Order date, pay a civil penalty of fifteen thousand dollars (**\$15,000.00**).

Summary: The Respondent is responsible for the proper operation and maintenance of the public water system (PWS) that serves the residents of the above-referenced subdivision located in Chester County. The Respondent was required to prepare and deliver a CCR to the customers of the PWS by July 1, 2002. The Respondent was also required to perform bacteriological monitoring for the referenced water system.

12.	<u>Order Type and No.:</u>	AO 02-214-DW
	<u>Order Date:</u>	October 4, 2002
	<u>Responsible Party:</u>	Gary Skoglund
	<u>Facility:</u>	n/a
	<u>Location/Mailing Address:</u>	1656 Eastview Road Rock Hill, SC 29732
	<u>County:</u>	York
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	n/a
	<u>Violation(s) Cited:</u>	25 S.C. Code Ann. Regs. 61-71.6 (B) (3) & (5) (1976)

Action: The Respondent has been ordered to: (1) install all wells in accordance with all State laws and regulations concerning well construction and permitting; and (2) within thirty (30) days of the executed Order date, pay a civil penalty of three thousand five hundred dollars (**\$3,500.00**).

Summary: The Respondent installed a public water supply well without a permit to construct. This well was installed to residential well standards under a residential well permit.

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of the executed Order date, pay a civil penalty of eight thousand seven hundred fifty dollars (\$8,750.00).

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| 14. | <u>Order Type and No.:</u> | CO 02-245-DW |
| | <u>Order Date:</u> | November 18, 2002 |
| | <u>Responsible Party:</u> | William M. Faulkner, III. |
| | <u>Facility:</u> | n/a |
| | <u>Location/Mailing Address:</u> | P.O. Box 10
Smyrna, SC 29743 |
| | <u>County:</u> | Cherokee |
| | <u>Previous Order(s):</u> | None |
| | <u>Permit/System Number:</u> | n/a |
| | <u>Violation(s) Cited:</u> | 25 S.C. Code Ann. Regs. 61-71.6(B), (2),
(3)(H) |

Summary: The Respondent is involved in the business of well drilling in South Carolina. An inspection of seventeen (17) residential water wells revealed that fourteen (14) of these wells were found to have construction violations.

Action: The Respondent has agreed to: (1) immediately comply with all pertinent State rules and regulations concerning well construction; (2) within thirty (30) days of the executed Order date, correct all problems associated with the Casa Del Sol Subdivision wells listed in the Findings of Fact; (3) prior to any remediation, contact the EQC District office to schedule an inspection for a Department representative to be present to observe the grouting; and, (4) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand eight hundred dollars (**\$2,800.00**). The penalty has been paid.

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| 15. | <u>Order Type and No.:</u> | CO 02-254-DW |
| | <u>Order Date:</u> | November 20, 2002 |
| | <u>Responsible Party:</u> | Russell Evans, d/b/a/ |
| | <u>Facility:</u> | Oakhill Subdivision |
| | <u>Location/Mailing Address:</u> | 123 Huntley Street
Aiken, SC 29803 |
| | <u>County:</u> | Aiken |
| | <u>Previous Order(s):</u> | None |
| | <u>Permit/System Number:</u> | None |
| | <u>Violation(s) Cited:</u> | S.C. Code Ann. § 44-55-40(a), (c), (d) |

Summary: The Respondent represents and is responsible for the Oakhill Subdivision public water system (PWS) that serves the residents of the above-referenced facility located in Aiken County. A sanitary survey conducted at the Respondent's Site revealed that the PWS was placed into operation prior to receiving proper approval from the Department.

16.	<u>Order Type and No.:</u>	CO 02-259-DW
	<u>Order Date:</u>	December 3, 2002
	<u>Responsible Party:</u>	High Hills Rural Water Co., Inc.
	<u>Facility:</u>	High Hills Subdivision
	<u>Location/Mailing Address:</u>	2720 Peach Orchard Road Dalzell, SC 29040
	<u>County:</u>	Sumter
	<u>Previous Order(s):</u>	CO 98-103-W (\$14,000.00 penalty)
	<u>Permit/System Number:</u>	4320003
	<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58.12

Action: The Respondent has agreed to pay a civil penalty of seven hundred dollars (**\$700.00**) within thirty (30) days of the executed Order date.

Summary: The Respondent failed to pay drinking water fees for the 2001, 2002, and 2003 fiscal years and failed to properly monitor the referenced facility for nitrate during the 2001 monitoring period.

18.	<u>Order Type and No.:</u>	CO 02-264-DW
	<u>Order Date:</u>	December 11, 2002
	<u>Responsible Party:</u>	Allen Johnson
	<u>Facility:</u>	Borrowed Money (Restaurant)
	<u>Location/Mailing Address:</u>	1391 Britton Road Sumter, SC 29150
	<u>County:</u>	Sumter
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	4370919
	<u>Violation(s) Cited:</u>	24A S.C. Code Ann. Regs. 61-58.6(E), 24A S.C. Code Ann. Regs. 61-58.5

Action: The Respondent has agreed to: (1) operate and maintain the public water system in accordance with applicable State and Federal laws and regulations; (2) within thirty (30) days of the execution date of this Order, issue public notification to the customers of the restaurant for failure to monitor the system during the 2001 monitoring period for nitrate; and (3) within thirty (30) days of the executed Order date, pay to the Department a civil penalty of nine hundred dollars (**\$900.00**). All back fees (\$893.76) have been paid, and monitoring has resumed.

1.	<u>Order Type and No.:</u>	CO 02-223-W
	<u>Order Date:</u>	October 17, 2002
	<u>Responsible Party:</u>	Les Jayne
	<u>Facility:</u>	Victoria Valley Vineyard
	<u>Location/Mailing Address:</u>	105 Beacon Court Easley, S.C. 29642

<u>County:</u>	Pickens
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	None
<u>Violation(s) Cited:</u>	25 S.C. Code Ann. Regs. 61-68(E)(5)(d)

Summary: Les Jayne (Respondent) owns and is responsible for the above-referenced Site located in Pickens County. The Site is approximately thirty (30) acres and used solely for agriculture. Inspections of the Site revealed that the Respondent discharged deleterious substances into the waters of the State, which in certain concentrations are harmful to human, animal plant or aquatic life.

Action: The Respondent has agreed to: (1) begin and continue to comply with all operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a letter from Natural Resource Conservation Service (NRCS) or a State registered professional engineer stating that all necessary storm water controls are in place and functioning at the Site.

2.	<u>Order Type and No.:</u>	CO 02-226-W
	<u>Order Date:</u>	October 18, 2002
	<u>Responsible Party:</u>	Town of Estill
	<u>Facility:</u>	Town of Estill WWTF
	<u>Location/Mailing Address:</u>	P.O. Box 415 Estill, S.C. 29918
	<u>County:</u>	Hampton
	<u>Previous Order(s)</u>	None
	<u>Permit Number:</u>	ND0069701
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61-9.505.41(1)(4) S.C. Code Ann. § 48-1-110(d)

Summary: The Town of Estill (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residents and businesses of its designated service area located in the above-referenced County. A review of the Respondent's file revealed that the Respondent exceeded the permitted discharge limit for fecal coliform (FC) and failed to submit groundwater monitoring reports (GMRs) as specified in the permit.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a corrective action plan (CAP) addressing compliance with fecal coliform. The schedule, upon approval, will become an enforceable part of this Order.

3.	<u>Order Type and No.:</u>	CO 02-233-W
	<u>Order Date:</u>	October 28, 2002
	<u>Responsible Party:</u>	Hilton Head No. 1 Public Service District
	<u>Facility:</u>	Hilton Head PSD WWTF

<u>Location/Mailing Address:</u>	P.O. Box 21264 Hilton Head, S.C. 29925
<u>County:</u>	Beaufort
<u>Previous Order(s):</u>	99-145-W(\$0) for CU & Zinc violations
<u>Permit Number:</u>	ND0068462 & SC0046191
<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61-9.122.41(a)(1), 505.41(a) S.C. Code Ann. § 48-1-110(d)

Summary: Hilton Head No. 1 Public Service District (PSD) (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses of its designated service area located in the above-referenced County. A review of the Respondent's file revealed that the Respondent exceeded the permitted discharge limit for FC.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) by November 30, 2002, submit three (3) copies of a preliminary engineering report (PER) for the installation of a new chlorination system to replace the existing chlorination system at the WWTF, with a schedule of implementation; (3) the schedule, upon approval, shall be incorporated into and become an enforceable part of this Order; (4) within thirty days of the executed Order date, pay a civil penalty of four thousand two hundred dollars (**\$4,200.00**).

4.	<u>Order Type and No.:</u>	CO 02-234-W
	<u>Order Date:</u>	October 28, 2002
	<u>Responsible Party:</u>	Specialty Industrial Products, Inc.
	<u>Facility:</u>	Specialty Industrial Products WWTF
	<u>Location/Mailing Address:</u>	401 South Tyron Street, Suite 3000 Charlotte, N.C. 29802-1935
	<u>County:</u>	Greenville
	<u>Previous Order(s):</u>	00-092-W(\$16,000.00) for BOD, surfactants & pH
	<u>Permit Number:</u>	SC0037826
	<u>Violation(s) Cited:</u>	S.C. Code Ann. 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1), (e)

Summary: Specialty Industrial Products, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving its chemical manufacturing facility located in the above-referenced County. A review of the Respondent's file revealed that the Respondent failed to comply with the permitted discharge limits for chronic toxicity, biochemical oxygen demand (BOD) and surfactants as required by the NPDES Permit, and failed to provide the Department complete information for NPDES Permit renewal within one hundred eighty (180) days of the existing permit expiration date.

Action: The Respondent has agreed to: (1) continue to operate and maintain the WWTF under the terms and conditions of the expired NPDES permit until a new permit becomes effective; (2) within thirty (30)

days of the executed Order date, submit a plan for the evaluation of the water in the holding tanks through all the Respondent's product lines; (3) within one hundred eighty (180) days of the executed Order date, submit a report on the evaluation of the water in the holding tanks through all the Respondent's product lines; (4) should the evaluation fail to reveal the source of the waste streams that could cause violations, within ninety (90) days of submission of the report, submit three (3) copies of a preliminary engineering report (PER) suitable for approval and prepared in accordance with State regulations. The PER should include a schedule, which, upon approval, shall be incorporated into and become an enforceable part of this Order; and, (5) pay a civil penalty of fifteen thousand dollars (**\$15,000.00**).

5.	<u>Order Type and No.:</u>	CO 02-238-W
	<u>Order Date:</u>	October 30, 2002
	<u>Responsible Party:</u>	Edgefield County Water & Sewer Authority
	<u>Facility:</u>	ECW & SA WWTF
	<u>Location/Mailing Address:</u>	P.O. Box 416 Edgefield, S.C. 29835
	<u>County:</u>	Edgefield
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	SC0025691
	<u>Violation(s) Cited:</u>	S.C. Code Ann. 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122-41(a)(1)

Summary: Edgefield County Water & Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses of its designated service area in the above-referenced County. A review of files revealed that the Respondent failed to comply with the permitted discharge limits for ammonia-nitrogen (NH₃-N), ultimate oxygen demand (UOD), and cadmium.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a summary report detailing measures taken to prevent NH₃-N and UOD violations at the WWTF; (3) within sixty (60) days of the executed Order date, submit a CAP addressing compliance with NH₃-N and UOD limits; the CAP shall contain an implementation schedule, which, upon approval, will become an enforceable part of this Order; (4) within thirty (30) days of issuance of the Land Application permit by the Respondent, submit a schedule to remove the sludge from the WWTF; the schedule upon approval shall become an enforceable part of the Order.

6.	<u>Order Type and No.:</u>	CO 02-242-W
	<u>Order Date:</u>	November 04, 2002
	<u>Responsible Party:</u>	Quala Systems, Inc.
	<u>Facility:</u>	Quala Systems, Inc, Wastewater Pretreatment Facility
	<u>Location/Mailing Address:</u>	4953 Virginia Avenue North Charleston, S.C. 29406

<u>County:</u>	Charleston
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	18,652-IW
<u>Violation(s) Cited:</u>	SC Code Ann. 48-1-110(a)(3), (c) 24 S.C. Code Ann. Regs 61-9.122.21(a)(2)

Summary: Quala Systems, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWPTF serving its transportation equipment cleaning facility located in the above-referenced County. A review of the Respondent's file reveals that the Respondent placed the WWPTF into operation prior to receiving Department approval, and the Respondent failed to provide for daily visits to the WWPTF by a certified operator of the appropriate grade.

Action: Respondent has agreed to: (1) operate and maintain the WWPTF in accordance with Department regulations and guidelines; (2) within thirty (30) days of the executed Order date, submit documentation verifying that a certified operator of the appropriate grade, as specified in construction permit # 18,652-IW, has been retained to operate the WWPTF; and, (3) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand dollars **(\$2,000.00)**.

7. <u>Order Type and No.:</u>	CO 02-243-W
<u>Order Date:</u>	November 04, 2002
<u>Responsible Party:</u>	A. Jervey Inglesby
<u>Facility:</u>	Property on Saluda River
<u>Location/Mailing Address:</u>	357 Riverside Drive Greenville, S.C. 29605
<u>County:</u>	Laurens
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	None
<u>Violation(s) Cited:</u>	25 S.C. Code Ann. Regs 61-68(E)(5)(d)

Summary: A. Jervey Inglesby (Respondent) owns and is responsible for grading and clearing of land covering approximately fifty-eight (58) acres on the Saluda River in the above-referenced County. The Site is used as a hunting club. Inspections of the Site revealed that the Respondent discharged sediment into the waters of the State.

Action: The Respondent has agreed to: (1) begin and continue to comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within ten (10) days of the executed Order date, submit an application for a storm water permit; (3) within thirty (30) days of receipt of written Department approval of the application, submit a report, completed by a State registered professional engineer, certifying that construction of the necessary storm water control devices are complete and in accordance with the approved plans and specifications; (4) within thirty (30) days of the executed Order date, submit a report from the Corps certifying all required permit application information for the detention pond has been received; based upon the Corp's review of the application, additional actions may be

required and scheduled. The schedule, upon receipt from the Corps, shall become an enforceable part of this Order; (5) within thirty (30) days of the executed Order date, pay a civil penalty of four thousand two hundred dollars (**\$4,200.00**). The penalty has been paid.

8.	<u>Order Type and No.:</u>	CO 02-246-W
	<u>Order Date:</u>	November 07, 2002
	<u>Responsible Party:</u>	Spartanburg Sanitary Sewer District
	<u>Facility:</u>	South Tyger River WWTF
	<u>Location/Mailing Address:</u>	P.O. Box 251 Spartanburg, S.C. 29304
	<u>County:</u>	Spartanburg
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	SC0047732
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Spartanburg Sanitary Sewer District (Respondent) owns and is responsible for the proper operation and maintenance of the above-referenced facility located in Spartanburg County. A review of the Respondent's file revealed that the Respondent failed to comply with the permitted discharge limits for fecal coliform and chronic toxicity contained in the NPDES Permit.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with the NPDES Permit and Department regulations and guidelines; (2) within thirty (30) days of the executed Order date, submit a CAP describing what has been done or will be done for the elimination of chronic toxicity failures; the CAP shall include, if necessary, a schedule, which upon Department approval, shall be incorporated into and become an enforceable part of this Order; (3) within thirty (30) days of the executed Order date, pay a civil penalty of four thousand two hundred dollars (**\$4,200.00**).

9.	<u>Order Type and No.:</u>	CO 02-244-W
	<u>Order Date:</u>	November 05, 2002
	<u>Responsible Party:</u>	Exide Corporation
	<u>Facility:</u>	Greer Plant
	<u>Location/Mailing Address:</u>	645 Penn Street Reading, PA 19612
	<u>County:</u>	Greenville
	<u>Previous Order(s):</u>	00-145-W(\$0) groundwater contamination
	<u>Permit Number:</u>	SC0042633
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Exide Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving its Greer groundwater remediation facility located in the above-referenced County. A review of the Respondent's file revealed that the Respondent exceeded the permitted discharge limits for chronic toxicity, total lead, and zinc contained in its NPDES Permit.

Action: The Respondent has agreed to: (1) henceforth operate and maintain the WWTF in accordance with

applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit two (2) copies of a CAP including a diagnostic evaluation (DE); (3) should the DE show that an up-grade of the system is required, within 90 days of the executed Order date, submit a PER with a schedule of implementation; and, (4) be liable for a penalty in the amount of twenty one thousand six hundred dollars (\$21,600.00) to be paid in accordance with the terms of any approved Plan of Reorganization in the Respondent's Chapter 11 case.

10.	<u>Order Type and No.:</u>	CO 02-247-W
	<u>Order Date:</u>	November 13, 2002
	<u>Responsible Party:</u>	Edward Richardson, d/b/a
	<u>Facility:</u>	Scenic Lake Park
	<u>Location/Mailing Address:</u>	40 Aubrey Circle Sumter, S.C. 29153
	<u>County:</u>	Sumter
	<u>Previous Order(s):</u>	None
	<u>Permit Number:</u>	SC0031895
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Edward Richardson (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF, serving the residents of the above-referenced facility located in Sumter County. A review of the files revealed that the Respondent failed to comply with the permitted discharge limits for NH₃-N.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with the NPDES Permit and Department guidelines and regulations; (2) within thirty (30) days of the executed Order date, submit to the Department three (3) copies of a diagnostic evaluation (DE) of the WWTF conducted jointly by a State registered professional engineer and an independent (not employed by the WWTF) State certified WWTF operator of proper grade; (3) the DE shall be used to determine if the WWTF can meet NPDES permit limits as designed, and identify operational techniques and maintenance procedures that will be implemented to prevent effluent violations; (4) the DE, signed and stamped by the engineer, shall include, but not be limited to, a review of the design criteria for the WWTF stating whether the facility can or cannot meet permit limits as designed; (5) the operator shall submit DE analysis data with process control recommendations that will be utilized in making sound operational decisions at the facility to prevent effluent violations; (6) if the DE indicates that construction of an upgrade is required to meet limits, then sixty (60) days of the executed Order date, submit three (3) copies of a PER with a schedule of implementation. The schedule, upon Department approval, shall be incorporated into and become an enforceable part of this Order.

11.	<u>Order Type and No.:</u>	CO 02-248-W
	<u>Order Date:</u>	November 13, 2002
	<u>Responsible Party:</u>	Total Environmental Systems, Inc.
	<u>Facility:</u>	Foxwood Hills Subdivision WWTF
	<u>Location/Mailing Address:</u>	1824 Ryder Drive Baton Rouge, LA 70808
	<u>County:</u>	Oconee
	<u>Previous Order(s):</u>	01-184-W(\$0)
	<u>Permit Number:</u>	SC0022357
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Total Environmental Systems, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF, serving the above-referenced facility located in Oconee County. A review of discharge monitoring reports (DMRs) revealed that the Respondent violated the permitted discharge limits for chronic toxicity, NH₃-N, total residual chlorine (TRC), BOD, and FC as set forth in its NPDES Permit.

Action: The Respondent has agreed to: (1) henceforth, operate and maintain the WWTF in accordance with applicable State regulations; (2) within sixty (60) days of the executed Order date, submit three (3) copies of a corrective action plan (CAP) conducted by an independent State certified WWTF operator of proper grade; (3) the CAP shall identify operational techniques and maintenance procedures which will be implemented to prevent effluent violations; (4) the CAP shall also include a diagnostic evaluation (DE) of the WWTF conducted jointly by a State registered professional engineer and an independent certified operator (not employed by the WWTF); (5) the DE shall be used to determine if the existing WWTF, as built, can meet the NPDES permit limits as designed, and identify operational techniques and maintenance procedures which will be implemented to prevent effluent violations; (6) if the DE indicates that construction of an upgrade is required to meet limits, then within ninety (90) days of the executed Order date, submit three (3) copies of a preliminary engineering report (PER) with a schedule of implementation; (7) the schedule upon Department approval shall be incorporated into and become an enforceable part of this Order; (8) within ninety (90) days of the executed Order date, submit an updated operation and maintenance (O&M) manual, containing instructions for all equipment and appurtenances associated with the WWTF; the manual should also contain a general description of the treatment processes, operating characteristics that will produce maximum treatment efficiency and corrective action to be taken should operating difficulties be encountered; and, (9) pay a civil penalty of nineteen thousand six hundred dollars (**\$19,600.00**).

study to confirm the chronic test concentration (CTC); and, (5) within thirty (30) days of the executed Order date pay a penalty of four thousand two hundred dollars (**\$4,200.00**).

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| 14. | <u>Order Type and No.:</u> | CO 02-251-W |
| | <u>Order Date:</u> | November 18, 2002 |
| | <u>Responsible Party:</u> | Town of Blacksburg |
| | <u>Facility:</u> | Canoe Creek |
| | <u>Location/Mailing Address:</u> | P.O. Box 487
Blacksburg, SC 29702 |
| | <u>County:</u> | Cherokee |
| | <u>Previous Order(s):</u> | None |
| | <u>Permit/System Number:</u> | SC0047457 |
| | <u>Violation(s) Cited:</u> | S.C. Code Ann. § 48-1-110(d) 24 S.C. Code
Ann. Regs. 61-9.122.41(a)(1) |

Summary: The Respondent owns and is responsible for the proper operation and maintenance of the WWTF serving the residents and businesses of its designated service area located in the above-referenced county. A review of the Respondent's file revealed that the Respondent exceeded the permitted discharge limits for biochemical oxygen demand (BOD), fecal coliform bacteria (FC), and total suspended solids (TSS).

Action: The Respondent has agreed to: (1) submit a financial plan (FP) prepared by a certified public accountant (CPA) within one hundred twenty days (120) of the executed Order date; and, (2) pay a civil penalty of six thousand four hundred dollars (**\$6,400.00**).

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| 15. | <u>Order Type and No.:</u> | CO 02-252-W |
| | <u>Order Date:</u> | November 18, 2002 |
| | <u>Responsible Party:</u> | Owens Corning |
| | <u>Facility:</u> | Anderson Plant WWTF |
| | <u>Location/Mailing Address:</u> | PO Box 1367
Anderson, SC 29622 |
| | <u>County:</u> | Anderson |
| | <u>Previous Order(s):</u> | 97-099-W viol. of metals & toxicity
(\$12,000.00) |
| | <u>Permit/System Number:</u> | SC0000400 |
| | <u>Violation(s) Cited:</u> | S.C. Code Ann. § 48-1-110(d) 24 S.C. Code
Ann. Regs. 61-9.122.41(a) |

Summary: The Respondent owns and is responsible for the proper operation and maintenance of a WWTF serving the above-referenced facility located in Anderson County. The Respondent filed for Chapter 11 bankruptcy protection on October 5, 2000, in the Bankruptcy Court for the District of Delaware. A review of discharge monitoring reports (DMRs) submitted by the Respondent revealed

that the WWTF failed to comply with permitted discharge limits for ammonia-nitrogen (NH₃-N), copper (Cu), FC, and chronic toxicity contained in the NPDES permit.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with the facility's NPDES permit; (2) within sixty (60) days of the executed Order* date submit a summary report of investigations conducted to determine the cause(s) of the toxicity failures at the facility including a CAP to eliminate toxicity failures at the facility with a schedule of implementation; (3) within thirty (30) days of the executed Order* date, submit a summary report of corrective actions already taken by the Respondent including a CAP to eliminate NH₃-N, copper, and toxicity violations including a Waste Treatment Plant Best Management Practices Plan; (4) within ninety (90) days of the executed Order* date, submit results of a conductivity test of the "Duck Pond"; and, (5) within twenty (20) days after approval of the Bankruptcy Court, pay a civil penalty of twelve thousand nine hundred fifty dollars (\$12,950.00) . * meaning Bankruptcy Court approval.

16.	<u>Order Type and No.:</u>	CO 02-255-W
	<u>Order Date:</u>	December 3, 2002
	<u>Responsible Party:</u>	Glasscock Trucking Company, Inc
	<u>Facility:</u>	G&K Tank Services
	<u>Location/Mailing Address:</u>	P.O. Box 1384 Sumter, SC 29151
	<u>County:</u>	Sumter
	<u>Previous Order(s):</u>	98-089-W, 10/8/1998 w/\$5,000
	<u>Permit/System Number:</u>	SC0040088
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110 (d), (a) (1) 24 S.C. Code Ann. Regs.61-9.122.41 (a), (a) (2) 24 S.C. Code Ann. Regs.61-9.122.41 (l)(4)S.C. Code Ann. 61-67

Summary: The Respondent owns and is responsible for the proper operation and maintenance of a WWTF serving its mining and reclamation facility located in the above-referenced county. A review of the Respondent's file revealed that the Respondent failed to comply with the monitoring and reporting requirements of its NPDES Permit, failed to comply with the permitted discharge limits for naphthalene, and installed a septic tank/drain field without a permit from the Department.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with the NPDES Permit; (2) within thirty (30) days of the executed Order date, submit a CAP for the proper completion and submission of monthly discharge monitoring reports; (3) within thirty (30) days of the executed Order date, submit a CAP for the elimination of naphthalene violations; (4) within thirty (30) days of the executed Order date submit a closure plan for the proper closure of the septic tank/drain field system; and, (5) within thirty (30) days of the executed Order date, pay a civil penalty in the amount of nine thousand three hundred fifty dollars (\$9,350.00).

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| 17. | <u>Order Type and No.:</u> | CO 02-256-W |
| | <u>Order Date:</u> | November 25, 2002 |
| | <u>Responsible Party:</u> | Specialty Polymers, Inc. |
| | <u>Facility:</u> | Specialty Polymers, Inc. |
| | <u>Location/Mailing Address:</u> | 869 Old Richburg Road
Chester, SC 29706 |
| | <u>County:</u> | Chester |
| | <u>Previous Order(s)</u> | None |
| | <u>Permit/System Number:</u> | None |
| | <u>Violation(s) Cited:</u> | S.C. Code Ann. § 48-1-90(a) |

Summary: The Respondent owns and is responsible for a polymer manufacturing facility located in Chester County. An inspection of the facility revealed that the Respondent discharged waste into the environment in a manner other than in compliance with the permit issued by the Department.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a summary of corrective actions that have been implemented to prevent spills from occurring and ensure that spilled chemicals are not discharged into the environment; (3) within sixty (60) days of the executed Order date, submit a written Best Management Plan for the prevention of chemical spills and the implementation of appropriate measures should a spill occur; and, (4) pay to the Department a penalty in the amount of eight thousand dollars (**\$8,000.00**).

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| 18. | <u>Order Type and No.:</u> | CO 02-260-W |
| | <u>Order Date:</u> | December 4, 2002 |
| | <u>Responsible Party:</u> | Town of Batesburg-Leesville |
| | <u>Facility:</u> | Batesburg-Leesville WWTF |
| | <u>Location/Mailing Address:</u> | P.O. Box 2329
Batesburg-Leesville, SC 29070 |
| | <u>County:</u> | Lexington |
| | <u>Previous Order(s)</u> | 02-128-W (\$2,000.00) for chronic toxicity
00-090-W (\$4,000.00) for late permit application and monitoring and reporting |
| | <u>Permit/System Number:</u> | SC0024465 |
| | <u>Violation(s) Cited:</u> | 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)
S.C. Code Ann. § 48-1-110(d) |

Summary: The Respondent owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses of its designated service area located in the above-referenced County. A review of the Respondent's file revealed that the Respondent exceeded the permitted discharge limits for copper and total suspended solids as specified in the permit.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in

19.	<u>Order Type and No.:</u>	CO 02-262-W
	<u>Order Date:</u>	December 5, 2002
	<u>Responsible Party:</u>	CR Bard, Inc.
	<u>Facility:</u>	C.R. Bard, Inc.
	<u>Location/Mailing Address:</u>	428 Power House Road Moncks Corner, SC 29461
	<u>County:</u>	Berkeley
	<u>Previous Order(s):</u>	99-092-W, 7/1/1999 w/\$40,000, 97-059-W, 8/19/1997 w/\$4,000
	<u>Permit/System Number:</u>	SC0035190
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110 (d) 24 S.C. Code Ann. Regs. 61-9.122.41 (a) (1)

Action: The Respondent has agreed to: (1) within sixty (60) days of the executed Order date, submit a performance assessment report conducted by a state registered professional engineer and a state certified wastewater treatment operator of the appropriate grade evaluating whether the wastewater treatment facility can comply with NPDES Permit limits as constructed; (2) if the performance assessment report reveals the wastewater treatment facility cannot comply with NPDES Permit limits, then within sixty (60) days of Department comment on the performance assessment report, submit a preliminary engineering report for upgrade of the wastewater treatment facility; and, (3) within thirty (30) days of the executed Order date, pay a penalty in the amount of fourteen thousand dollars (**\$14,000.00.**)

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Violation(s) Cited:

24 S.C. Code Ann. Regs. 61-9.122.21(d)(1)
S.C. Code Ann. § 48-1-110(d)

Summary: The Respondent owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses of its designated service area located in the above-referenced County. A review of the Respondent's file revealed that the Respondent failed to submit a complete application for renewal of its NPDES permit within the required 180 days.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) continue to operate under the terms of the current NPDES permit until a new NPDES permit becomes effective; and (3) within thirty (30) days of the executed Order date, pay to the Department a penalty in the amount of one thousand seven hundred dollars (**\$1,700.00**).

ISSUANCE OF ORDERS BY THE BUREAU OF AIR QUALITY

1.

<u>Order Type and No.:</u>	Consent Order 02-095-A
<u>Order Date:</u>	October 28, 2002
<u>Responsible Party:</u>	Clemson University Facilities
<u>Location/Mailing Address</u>	Klugh Avenue Clemson, South Carolina 29634-5909
<u>County:</u>	Pickens County
<u>Permit No.:</u>	1880-0010
<u>Previous Order(s):</u>	97-086-A (No civil penalty)
<u>Violation(s) Cited:</u>	S.C. Code Ann. 48-1-110(d) S.C. Air Pollution Control Regulation 61-62.1, Permit Requirements; S.C. Air Pollution Control Regulation 61-62.70, <u>Title V Operating Permit Program</u> ; U.S. EPA Regulation 40 CFR 60, <u>New Source Performance Standards, Subpart A, General Requirements</u> as it relates to Subpart GG, <u>Standards of Performance for Stationary Gas Turbines.</u>

Summary: Clemson University Facilities operates a Central Energy Facility to generate steam for heating buildings at Clemson University. Clemson University Facilities failed to submit timely Title V Annual Compliance Certifications for the 1998 through 1999 and 1999 through 2000 reporting periods and also inaccurately certified compliance with the terms and conditions of its Title V Operating Permit. A review of Department files revealed additional reporting violations including: 1) fail to submit required annual monitoring plan certifications for the 1998 through 1999 and 1999 through 2000 reporting periods; 2) fail to submit quarterly excess emissions reports for opacity; 3) fail to submit semi-annual visual inspection reports from the 1998 through September 2001 reporting periods; and, 4) fail to submit annual opacity observation reports from 1998 through June 2001; and, failure to submit quarterly coal usage reports after April 2000. In January 2001 an inspection conducted by Department personnel found that Clemson had exceeded its coal usage limit, established by Construction Permits CB and CE. In September 2001, Clemson notified

the Department that it had exceeded its coal usage limit again. On January 15, 2002, Department personnel conducted an inspection of the facility and determined that it had installed and placed a generator into operation prior to obtaining the appropriate permits or exemptions from the Department.

Action: On July 18, 2001, the Department issued Clemson University Facilities a Notice of Violation and a Notice of Enforcement Conference for the reporting violations, and an enforcement conference was held on August 15, 2001. On February 26, 2002, the Department issued a Notice of Violation to Clemson University Facilities for failing to obtain the appropriate permits or exemptions prior to installing and operating the generator. A Consent Order was negotiated in which the facility agreed to comply with the reporting requirements of its Title V Operating Permit, to obtain the appropriate permits prior to constructing and operating sources of air contaminants, and to pay to the Department a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**). The penalty has been paid.

2.	<u>Order Type and No.:</u>	Consent Order 02-097-A
	<u>Order Date:</u>	October 28, 2002
	<u>Responsible Party:</u>	Romeo RIM, Inc.
	<u>Location/Mailing Address:</u>	131 Corporate Drive Gaffney, South Carolina 29342
	<u>County:</u>	Cherokee
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	0600-0079
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> , and S.C. Code Ann. § 48-1-110(d).

Summary: Romeo RIM, located in Gaffney, South Carolina, is a facility that molds plastic parts for automotive and agricultural vehicles. An inspection conducted by the Department on October 24, 2001, indicated that Romeo RIM had installed and placed into operation a 125-ton RIM clamp prior to applying for and obtaining the required permits. The inspection also revealed that Romeo RIM failed to record daily consumption rates of coatings, to submit quarterly reports of daily and monthly consumption rates of coatings, and to submit a pollution control Monitoring Plan to the Department as required by Construction Permit 0600-0079-CA. On September 28, 2001, Romeo RIM submitted a pollution control Monitoring Plan. On November 21, 2001, Romeo RIM submitted a construction permit application and on March 22, 2002, the Department issued Construction Permit 0600-0079-CB for the unpermitted RIM clamp.

Action: On July 12, 2002, the Department issued Romeo RIM a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 1, 2002. A Consent Order was negotiated in which Romeo RIM agreed to comply with Department permitting requirements, comply with record keeping and reporting requirements of its permit, and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**). The penalty has been paid.

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| 3. | Order Type and No.: | Consent Order 02-098-A |
| | <u>Order Date:</u> | September 18, 2002 |
| | <u>Responsible Party:</u> | Butler Ware Trucking |
| | <u>Location/Mailing Address:</u> | Post Office Box 1558
Moncks Corner, South Carolina 29461 |
| | <u>County:</u> | Berkeley |
| | <u>Previous Order(s):</u> | None |
| | <u>Permit No.:</u> | None |
| | <u>Violation(s) Cited:</u> | South Carolina Air Pollution Control Regulation
61-62.2, Prohibition of Open Burning. |

Summary: Butler Ware is a trucking business located in Moncks Corner, South Carolina. On January 15, 2002, Department personnel received and investigated a complaint concerning open burning on Live Oak Drive in Moncks Corner. Department personnel found that two 20'X30' piles of land clearing debris were burning. The burn piles were approximately 300 feet from a residence and approximately 500 feet from a public roadway. The land clearing debris originated from onsite activities. Butler Ware was previously issued a Notice of Violation on February 12, 2001, for burning trade waste.

Action: On August 1, 2002, the Department issued Butler Ware a Notice of Violation and a Notice of Enforcement Conference. Butler Ware failed to attend the conference on August 21, 2002. A Consent Order was negotiated in which Butler Ware Trucking agreed to immediately cease open burning except as in compliance with Department. A civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**) was assessed. The first payment of one thousand seven hundred and fifty dollars (\$1,750.00) of the civil penalty is due on November 22, 2002. The second payment of one thousand seven hundred and fifty dollars (\$1,750.00) of the penalty is due December 23, 2002. The first payment has been received.

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| 4. | <u>Order Type and No.:</u> | Consent Order 02-100-A |
| | <u>Order Date:</u> | October 28, 2002 |
| | <u>Responsible Party:</u> | Columbia Farms, Inc. |
| | <u>Location/Mailing Address</u> | 1354 Rutherford Road
Greenville, South Carolina 29608 |
| | <u>County:</u> | Greenville County |
| | <u>Permit No.:</u> | 1200-0232 |
| | <u>Previous Order(s):</u> | None |
| | <u>Violation(s) Cited:</u> | S.C. Code Ann. 48-1-110(d) |

Summary: Columbia Farms, Inc. operates a poultry processing facility located in Greenville, South Carolina. A review of Department files indicates Columbia Farms failed to submit quarterly reports of natural gas and fuel oil usage, as required by its General Conditional Major Operating Permit for Fuel Combustion Operations. During discussions with the facility, it was determined that Columbia Farms had not developed a method to measure fuel oil usage.

5.	<u>Order Type and No.:</u>	Consent Order 02-101-A
	<u>Order Date:</u>	October 28, 2002
	<u>Responsible Party:</u>	Marley Engineered Products
	<u>Location/Mailing Address:</u>	470 Beauty Spot Road East Bennettsville, South Carolina 29512
	<u>County:</u>	Marlboro
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	1680-0099
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program and S.C. Code Ann. §48-1-110(d)

Action: On June 6, 2002, the Department issued Marley a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 19, 2002. A Consent Order was negotiated in which Marley agreed to submit its TVACC in accordance with Department requirements, submit its Annual Visual Inspection Report and VOC/HAP reports in accordance with the schedule and conditions established by its permit, and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**). The penalty has been paid.

6.	<u>Order Type and No.:</u>	Consent Order 02-102-A
	<u>Order Date:</u>	November 18, 2002
	<u>Responsible Party:</u>	Paxar Corporation
	<u>Location/Mailing Address:</u>	1595 Cedar Line Drive Rock Hill, South Carolina 29730
	<u>County:</u>	York County
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	2440-0103

Violation(s) Cited:

South Carolina Air Pollution Control Regulation
61-62.70, Title V Operating Permit Program, and S.C. Code Ann. § 48-1-110(d).

Summary: Paxar Corporation, located in Rock Hill, South Carolina, manufactures ink-coated labels for garments. Paxar Corporation failed to submit timely Title V Annual Compliance Certifications for the 1998 through 1999, 1999 through 2000, and 2000 through 2001 reporting periods and inaccurately certified compliance with the terms and conditions of its Title V Operating Permit. A review of Department files revealed additional reporting violations including: 1) failure to submit its pollution control device monitoring plan; 2) failure to submit required annual monitoring plan certifications for the reporting periods ending September 2000 and September 2001; 3) failure to submit semiannual incinerator temperature reading reports for reporting periods ending in March 1999, September 1999, March 2000, September 2000, March 2001, September 2001, and March 2002; and 4) failure to submit its VOC emissions reports for the reporting periods ending in March 1999, September 1999, March 2000, September 2000, March 2001, September 2001, and March 2002.

Action: On March 5, 2002, the Department issued Paxar Corporation a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on March 29, 2002. A Consent Order was negotiated in which the facility agreed to comply with the reporting requirements of its Title V Operating Permit and pay a civil penalty in the amount of eight thousand dollars (\$8,000.00). The penalty has been paid.

7.	<u>Order Type and No.:</u>	Consent Order 02-104-A
	<u>Order Date:</u>	November 19, 2002
	<u>Responsible Party:</u>	M.T. Talbert Demolition, Inc.
	<u>Location/Mailing Address:</u>	213 Racetrack Road Hartsville, South Carolina 29506
	<u>County:</u>	Florence
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	None
	<u>Violation(s) Cited:</u>	U.S. EPA NESHAP 40 CFR 61.145, <u>Standard for Demolition and Renovation</u> , and South Carolina Air Pollution Control Regulation 61-86.1, <u>Standards of Performance for Asbestos Projects.</u>

Summary: M.T. Talbert is a contractor located in Hartsville, South Carolina. On April 4, 2001, Department personnel investigated a demolition of the former Stoudenmire/Dowling Funeral Home located in Florence, South Carolina, and observed that M.T. Talbert was performing the demolition of the building. Department records indicate that M.T. Talbert failed to provide the Department with written notification of intention to demolish the building and failed to obtain the necessary Department-issued asbestos project license prior to removing regulated asbestos-containing material (RACM). On February 13, 2002, Department personnel investigated a demolition at the former Rogers Brothers Fabrics facility located in

Florence, South Carolina, and observed that M.T. Talbert was performing the demolition of the building. Department records indicate that M.T. Talbert failed to ensure that the required Department-issued license was obtained prior to the demolition.

Action: On June 14, 2002, the Department issued M.T. Talbert a Notice of Violation and a Notice of Enforcement Conference and an enforcement conference was held on July 17, 2002. A Consent Order was negotiated in which M.T. Talbert agreed to provide notification prior to beginning future demolitions, ensure that it obtains an asbestos project demolition license prior to beginning future demolitions, ensure that it does not remove or otherwise abate RACM unless it obtains all required licenses from the Department, ensure that all RACM is properly removed prior to demolishing any building or structure, and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)**, payable in three (3) equal payments of two thousand (\$2,000.00) each. The first payment is due December 19, 2002, the second January 18, 2003, and the third February 17, 2003.

8.	<u>Order Type and No.:</u>	Consent Order 02-105-A
	<u>Order Date:</u>	November 25, 2002
	<u>Responsible Party:</u>	Inman Asphalt, Inc.
	<u>Location/Mailing Address:</u>	Post Office Box 531 Inman, South Carolina 29349
	<u>County:</u>	Spartanburg
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	2060-0062
	<u>Violation(s) Cited:</u>	US EPA 40 CFR 60 Subpart A, <u>Notification And</u> <u>Record Keeping</u> , and South Carolina Air Pollution Control Regulation 61-62.1, II, <u>Permit Requirements</u> .

Summary: Inman Asphalt, located in Inman, South Carolina, is a liquid asphalt storage and distribution facility. An inspection conducted by the Department on March 27, 2002, indicated that Inman Asphalt had installed and placed into operation a 2,300,000 gallon asphalt storage tank and was constructing an additional 2,000,000 gallon asphalt storage tank prior to obtaining the required permits and making required notifications to the Department.

Action: On May 3, 2002, the Department issued Inman Asphalt a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on July 30, 2002. A Consent Order was negotiated in which Inman Asphalt agreed to comply with Department permitting and notification requirements, and pay a civil penalty in the amount of four thousand eight hundred dollars **(\$4,800.00)**. The penalty has been paid.

9.	<u>Order Type and No.:</u>	Consent Order 02-106-A
	<u>Order Date:</u>	December 4, 2002
	<u>Responsible Party:</u>	The Kee Corporation
	<u>Location/Mailing Address:</u>	306 Rock Quarry Road

<u>County:</u>	Traveler's Rest, South Carolina 29690
<u>Previous Order(s):</u>	Greenville
<u>Permit No.:</u>	None
<u>Violation(s) Cited:</u>	None
	South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u>

Summary: The Kee Corporation ("Kee"), located in Traveler's Rest, South Carolina, finishes milled lumber into residential and commercial molding. On June 4, 2002, The Department conducted an inspection of Kee. During the inspection, the Department noted an unpermitted sawing and molding operation with emissions controlled by a cyclone. The Department requested that Kee contact the Department's Small Business Assistance Program ("SBAP") for assistance in preparing a construction permit application. Kee failed to submit sufficient process information to the SBAP in order to complete a construction permit application and subsequently failed to respond to a request for additional information from the SBAP.

Action: On September 11, 2002, the Department issued Kee a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 24, 2002. A consent order was negotiated in which Kee agreed to submit to the SBAP all information required to complete a construction permit application and to pay a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00). The penalty is due in five monthly installments of five hundred dollars (\$500.00) each beginning on January 1, 2003.

10. <u>Order Type and No.:</u>	Consent Order 02-107-A
<u>Order Date:</u>	December 11, 2002
<u>Responsible Party:</u>	Carsonite International, Inc.
<u>Location/Mailing Address:</u>	605 Bob Gifford Blvd. Early Branch, South Carolina 29916
<u>County:</u>	Hampton
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	TV-1280-0018
<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.70, <u>Title V Operating Permit Program</u> and S.C. Code Ann. §48-1-110(d)

Summary: Carsonite International, Inc., ("Carsonite"), located in Early Branch, South Carolina, manufactures fiber-reinforced composite delineators for highway and other signage. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1280-0018 to Carsonite, effective October 28, 1998. Department records indicate that Carsonite failed to submit its Title V Annual Compliance Certification ("TVACC") for the October 28, 1998, through October 27, 1999, reporting period by December 13, 1999, and failed to submit quarterly Visual Inspection reports for the first quarter 1999 through the first quarter 2001. Carsonite submitted an incorrect TVACC on January 31, 2000, in that it did not include failure to submit quarterly visual inspection reports required by its permit. Carsonite started submitting the

Visual Inspection reports second quarter 2001. Carsonite also failed to submit the TVACC for the monitoring period ending October 27, 2001, by December 13, 2001.

Action: On March 19, 2002, the Department issued Carsonite a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 4, 2002. A Consent Order was negotiated in which Carsonite agreed to submit its TVACC in accordance with Department requirements, submit its quarterly Visual Inspection Reports in accordance with the schedule and conditions established by its permit, and pay a civil penalty in the amount of six thousand five hundred dollars (**\$6,500.00**). The penalty is due January 10, 2003.

11.	<u>Order Type and No.:</u>	Consent Order 02-108-A
	<u>Order Date:</u>	December 11, 2002
	<u>Responsible Party:</u>	Paul Jones Home Builders, Incorporated
	<u>Location/Mailing Address:</u>	1659 Sandridge Road Dorchester, South Carolina 29437
	<u>County:</u>	Dorchester
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	None
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <u>Prohibition of Open Burning.</u>

Summary: Paul Jones Home Builders, formerly Paul W. Jones Construction, located in Dorchester, South Carolina, owns and operates a construction business. On May 14, 2002, Department personnel received a complaint concerning open burning in Summerville, South Carolina. The same day, Department personnel conducted an investigation and observed a 7'X7' pile of material, including wood, Styrofoam, plywood and land-clearing debris and a 40-cubic yard fiberglass container burning on the site.

Action: On July 23, 2002, the Department issued Paul Jones Home Builders a Notice of Violation and a Notice of Enforcement Conference. Paul Jones Home Builders elected to forgo an enforcement conference and proceed with the resolution of the violation through a consent order. A Consent Order was negotiated in which Paul Jones Home Builders agreed to cease open burning except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2 and to pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty is due January 13, 2003.

12.	<u>Order Type and No.:</u>	Consent Order 02-109-A
	<u>Order Date:</u>	December 11, 2002
	<u>Responsible Party:</u>	Rogers and Son Construction
	<u>Location/Mailing Address:</u>	204 Shady Lane Summerville, South Carolina 29485
	<u>County:</u>	Dorchester
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	None

Violation(s) Cited:

South Carolina Air Pollution Control Regulation
61-62.2, Prohibition of Open Burning.

Summary: Rogers and Son Construction is a construction and land-clearing company located in Summerville, South Carolina. On July 16, 2002, Department personnel investigated a complaint concerning open burning at the Rogers and Son Construction offices. During the investigation Department personnel discovered a 60'X60' pile of tires, PVC pipe, rubber products, other trade waste, and land-clearing debris burning. Further investigation revealed that Rogers and Son had hauled the material from another site for burning.

Action: On September 16, 2002, the Department issued Rogers and Son Construction a Notice of Violation and a Notice of Enforcement Conference and an enforcement conference was held on October 8, 2002. A Consent Order was negotiated in which Rogers and Son Construction agreed to immediately cease open burning except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2 and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty has been paid.